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FAA-01-11133-17

From: ecoairman@aol.com
Sent: Thursday, February 07, 2002 3:43 PM
To: govt@eaa.org
Subject: Comments to NPRM No. FAA-2001-11133, Certification of Pilots, Aircraft and Repairmen for the Operation of Light Sport Aircraft

Name: Frank M. Bailey
Address: PO Box 721
City: Jasper
State: TN
Zip: 37347
Email: ecoairman@aol.com
Phone: 423-942-2361

Comments: Dear Sirs:

By way of introduction, my name is Frank Bailey. I have been flying since 1993. I received my recreational pilot's certificate in 1995 and my private certificate in 1998. I also hold an Advanced Ground Instructors certificate, and I became a registered ultralight pilot through Aero Sports Connection in 2000. In my younger days, back in the early 70's, I was a member of the Tennessee Tech Sport Parachute Club and the Ft. Benning Parachute Club. I am current in my Class III medical requirements and I am engaged in building a small single place homebuilt that I plan to register in the experimental category. I have been employed as a state wildlife officer (game warden) for 26 years, and as such, I am responsible for the enforcement and prosecution of violations of motor vessel regulations, environmental regulations, game and fish regulations, and the investigation of motor vessel accidents and firearms accidents. Thus, I have extensive experience in regulatory matters and accident investigations.

I have reviewed NPRM No. FAA-2001-11133. I feel this proposal is one of the best things in years to come out of the FAA to boost general aviation; frankly, it is outstanding! Aviation technology and medical technology has moved forward faster than the FAA. The proposal as written, will allow the FAA to get caught up with its customers and should prove to be a real "shot in the arm" to the light aircraft/ultralight industry. It also addresses the "problems" I see everywhere with the illegal operation of ultralight type vehicles being operated under the guise of 14CFR, Part 103, but at the same time, it doesn't affect the legal pilots who wishes to continue flying under Part 103. Those in the FAA involved in this proposal are to be highly commended. The following are my comments about matters in specific proposal areas in which I have strong feelings:

1. Medical Certification: A Class III medical is a useless regulatory burden on a pilot to fly two and four place light aircraft unless the pilot is involved in charitable airlifts, aerobatics, business flying and similar such matters. Glider and balloon pilots have never needed a medical, nor have Part 103 pilots. From all available data, there has been little evidence of medical incapacitation of these pilots. Under the sport pilot proposal, a valid motor vehicle operators license may be used in lieu of a Class III medical certificate. This is excellent! If a person is incapable driving, then they are incapable of flying. An interesting point: if the proposal becomes law, it will give the FAA and DOT an excellent study group to determine the continued necessity of medical certification of pilots engaged in mere personal pleasure & family type flying in aircraft which falls a little outside the current proposed definition of Light Sport Aircraft.

Aircraft Specifications: Once again, Excellent! My only suggestion is this: It is my understanding that certain certified aircraft, such as

early Piper J-3 Cubs, Aeronica Champs, and Taylorcrafts would make the Sport Plane requirement, so why not go ahead and allow aircraft up to 1675lb gross? I have three reasons: #1 Fairness - This would not only allow the fortunate few who owns such vintage aircraft to fly a certified aircraft under the Sport Pilot proposal, but it would also allow the owners of slightly later models. Additionally, 1675 gross would allow the owners of aircraft up to the Cessna 150/152 and Beechcraft Skipper class weights to fly certified aircraft also. #2 Economics - By allowing a gross certified weight of 1675lb to be flown as Sport Aircraft, it could very well spark an increased market for the 1675lb class weight's of aircraft. This could be all it takes for Cessna, Piper, Beechcraft, and other companies to restart productions of small, affordable, two-place, personal/trainer type aircraft; this translates into creating jobs for people all through the aviation industry. #3 Safety - While not always true, a certified aircraft built by a reputable company, is safer than what the average person can build in their basement. In the event of an uncontrolled decent into the earth, there would be negligible additional risks involved in a 1675lb gross weight to the non-flying public.

Illegal Operations Under the Guise of Part 103: Go to any Fly-In where ultralights are present. You will see a lot of "slightly" to "grossly" illegal things. Most ultralights are a little overweight, most of them stalls a little faster than allowed, many have 10 gallon tanks, a few are two-place machines that being operated by someone without an FAA instructor's exemption, several two place machines are being operated by persons with an FAA two-place instructor's exemption for personal pleasure flights, and most have engines that allows them to fly a little faster than allowed. From my observations, better than 80% of the ultralight vehicles and pilots are illegal in some manner. The people involved in such illegal activities are not bad folks, nor are they dangerous in their actions. They are merely sport pilots that fly, not for transportation, but for recreation. They bother no one and mind their own business. Many of them feels that the FAA doesn't consider them "real pilots" and cares little about their sport or their needs; wishing they would just "go away and leave the sky". The Sport Pilot proposal will allow these people to "get themselves legal" by becoming a certified pilot and getting their aircraft N-numbered. An interesting point: This will be good for everyone; by getting these folks on board as a certified pilot, it will give the FAA and DOT a much better handle on sport aviation, who their customers are, what their needs are, and sport aviation's positive impact on aviation technology and the economy. And we, the flying public, wants our suppliers (the FAA) to know us, our needs and how we can work closer together in technology and aviation safety. Thus, the Sport Pilot proposal should be mutually beneficial to the government and to the flying public.

In closing, I wish to commend the FAA on the Sport Pilot proposal. It is a rare law that make winners out of both the government and the public! I find it also remarkable that you folks were able to get it out to us in such a timely manner after the tragedy of September 11. I believe I speak for all of us pilots that if this proposal had been shelved for a year or more, we would have understood under the conditions that the FAA has been working in and the pressure that has been placed upon you folks for greater security and stricter regulations..... our hearts and our prayers have been with you. Thanks for a great proposal that will do so much for the light end of aviation!

Sincerely,
Frank M. Bailey